

REMARKS

The Applicants thank the Examiner for the thorough consideration given the present application. Claims 1-18 are pending, of which claims 2, 4, 11, and 13 are withdrawn. Claims 1, 10, and 18 are amended. Claims 1 and 10 are independent. The Examiner is respectfully requested to reconsider the rejections in view of the amendments and remarks set forth herein.

Claim for Priority

It is gratefully appreciated that the Examiner has acknowledged the Applicants' claim for foreign priority.

Information Disclosure Citation

The Applicants thank the Examiner for considering the references supplied with the Information Disclosure Statement filed September 30, 2004, and for providing the Applicants with an initialed copy of the PTO form filed therewith.

Restriction Requirement

The Examiner has made the Restriction Requirement final, and has withdrawn claims 2, 4, 11, and 13 from further consideration. When independent claims 1 and 10 are found to be allowable, it is respectfully requested that the Examiner rejoin withdrawn claims 2, 4, 11, and 13, and allow all pending claims of this application.

Rejections Under 35 U.S.C. §102(b) and §103(a)

Claim 1, 3, 5-7, 10, 12 and 14-16 stand rejected under 35 U.S.C. §102(b) as being anticipated by McCormick (U.S. Patent 5,156,019);

claims 8 and 17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over McCormick; and

claims 9 and 18 stand rejected under 35 U.S.C. §103(a) as being unpatentable over McCormick in view of Ullberg (U.S. Patent 3,690,988).

These rejections are respectfully traversed.

Amendments to Independent Claim 1

While not conceding the appropriateness of the Examiner's rejection, but merely to advance prosecution of the instant application, independent claim 1 has been amended herein to recite a combination of features directed to a method for manufacturing a tissue section, including *inter alia*

“slicing an organism specimen, whose form has been fixed by freezing or by using an embedding agent, in air, along a slicing surface”.

In addition, independent claim 10 has been amended herein to recite a combination of features directed to a device for manufacturing a tissue section, including *inter alia*

“means for slicing an organism specimen, whose form has been fixed by freezing or by using an embedding agent, in air, along a slicing surface”.

Support for the novel features in claims 1 and 10 can be found in the original specification, for example, in paragraphs [0053] and [0054].

By contrast, as can be seen in claim 1 of McCormick, this document merely discloses a “dielectric fluid”.

In the DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS of McCormick, the “dielectric oil 22” is used as a concrete example of the “dielectric fluid”.

Further, in the case of using the “cold-air”, dusts including viruses, etc. will be undesirably scattered (See BACKGROUND OF THE INVENTION, lines 37-46).

Therefore, the “dielectric fluid” of claim 1 of McCormick must be a fluid capable of preventing dusts from scattering, which are formed when the tissue section is sliced.

Therefore, McCormick fails to disclose or suggest the present invention, in which the sliced tissue section is automatically formed from the frozen specimen in air.

At least for the reasons explained above, the Applicants respectfully submit that the combination of features as set forth in each of independent claims 1 and 10 is not disclosed or made obvious by the prior art of record, including McCormick.

Therefore, independent claims 1 and 10 are in condition for allowance.

Dependent Claims

The Examiner will note that dependent claim 18 is amended merely to place it in better form.

All dependent claims are in condition for allowance due to their dependency from allowable independent claims, or due to the additional novel features set forth therein.

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Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §103(a) are respectfully requested.

CONCLUSION

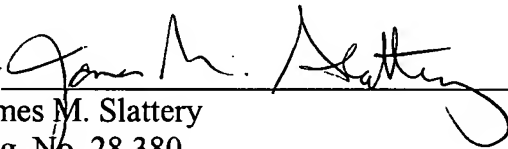
All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. It is believed that a full and complete response has been made to the outstanding Office Action, and that the present application is in condition for allowance.

If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, he is invited to telephone Carl T. Thomsen (Reg. No. 50,786) at (703) 208-4030(direct line).

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17, particularly extension of time fees.

Dated: September 11, 2007

Respectfully submitted,
BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 
James M. Slattery
Reg. No. 28,380
P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000

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